

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JORGE DE JESUS, *individually and on behalf of others  
similarly situated,*

Plaintiff,

-v-

CARNEGIE VALET CLEANING CORP., *et al.*,

Defendants.

23 Civ. 4783 (PAE) (SLC)

ORDER OF DEFAULT  
JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On June 7, 2023, plaintiff Jorge De Jesus (“De Jesus”) filed the Complaint on behalf of a putative class alleging claims under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.* and New York Labor Law (“NYLL”), N.Y. Lab. Law § 605 *et seq.* Dkt. 1. The next day, this Court referred the case to the Honorable Sarah L. Cave, United States Magistrate Judge, for general pretrial management. Dkt. 11. On June 12, 2023, De Jesus served the Complaint on defendant Gotham Cleaners, Inc. (“Gotham”); on June 23, 2023, De Jesus served the Complaint on defendant Cory Perlson (“Perlson”). Dkts. 14, 16.

Gotham and Perlson have failed to appear, respond, or take any other action in this case. On July 13, 2023, De Jesus obtained a Clerk’s Certificate of Default against Gotham; on July 20, 2023, he obtained the same against Perlson. Dkts. 24, 30. On August 18, 2023, pursuant to this Court’s Individual Rules of Practice, De Jesus filed a motion for a default judgment and attorneys’ fees against Gotham and Perlson, Dkt. 33, and a supporting declaration, Dkt. 34.

On August 21, 2023, the Court issued an order to show cause ordering Gotham and Perlson to appear and oppose the motions for a default judgment and attorneys’ fees by September 8, 2023. Dkt. 36. On August 24, 2023, De Jesus served Gotham and Perlson, by first

class mail, De Jesus's motion for a default judgment and attorneys' fees, his supporting documents, and the Court's order to show cause. Dkt. 39.

The Court has reviewed De Jesus's motion for a default judgment pursuant to Federal Rule of Civil Procedure 55(b), Dkt. 33, and supporting declaration, Dkt. 34. Because proof of service has been filed, Gotham and Perlson have not answered the complaint, the time for answering the complaint has expired, and Gotham and Perlson failed to appear to contest entry of a default judgment for that purpose, the Court enters a default judgment for De Jesus against the defendants.

The Court, by separate order, has commissioned an inquest into damages and referred plaintiff's motion for attorneys' fees and costs to Judge Cave for a report and recommendation. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 33.

SO ORDERED.

A handwritten signature in dark ink, appearing to read "Paul A. Engelmayer", is written over a horizontal line.

Paul A. Engelmayer  
United States District Judge

Dated: October 30, 2023  
New York, New York